

ORIGINAL

10/2/18
11:33pm
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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TIMOTHY REAVES,

Plaintiff,

v.

DEPARTMENT OF CORRECTION,
PAMELA MACEACHERN, and
MICHEL RODRIGUES,

Defendants.

Civil Action No. 15-40100-TSH

VERDICT FORM

8th Amendment: Failure to Protect Claim

1. a. Do you find from a preponderance of the evidence that Defendant Pamela MacEachern failed to protect Plaintiff Timothy Reaves in violation of his Eighth Amendment rights?

YES _____ NO X _____

[If your answer to Question 1(a) is "YES," go to Question 1(b). If your answer is "NO," skip to Question 2.]

- b. State the total amount of actual damages, or nominal damages (not to exceed \$1), for which you find the Defendant is liable:

\$ _____

- c. Do you find from a preponderance of the evidence that punitive damages should be assessed against the Defendant?

YES _____ NO _____

[If your answer to Question 1(c) is "YES," go to Question 1(d). If your answer is "NO," skip to Question 2.]

d. If yes, in what amount:

\$ _____

8th Amendment: Conditions of Confinement Claim

2. a. Do you find from a preponderance of the evidence that one or more of the following Defendants denied Plaintiff Timothy Reaves adequate conditions of confinement, specifically by denying him access to the outdoors, in violation of his Eighth Amendment rights?

Pamela MacEachern: YES _____ NO ~~X~~ _____

Michael Rodrigues: YES _____ NO ~~X~~ _____

[If your answer to Question 2(a) is "YES" as to any of the Defendants, go to Question 2(b). If your answer is "NO" as to all of them, skip to Question 3.]

b. State the total amount of actual damages, or nominal damages (not to exceed \$1), for which you find the Defendant is liable:

Pamela MacEachern: \$ _____

Michael Rodrigues: \$ _____

c. Do you find from a preponderance of the evidence that punitive damages should be assessed against one or more of the Defendants?

Pamela MacEachern: YES _____ NO _____

Michael Rodrigues: YES _____ NO _____

[If your answer to Question 2(c) is "YES" as to any of the Defendants, go to Question 2(d). If your answer is "NO" as to all of them, skip to Question 3.]

d. If yes, in what amount:

Pamela MacEachern: \$ _____

Michael Rodrigues: \$ _____

Rehabilitation Act Claim

3. a. Do you find from a preponderance of the evidence that Defendant Department of Correction violated Plaintiff Reaves' rights under the Rehabilitation Act?

YES _____ NO X _____

[If your answer to Question 3(a) is "YES," go to Question 4. If your answer is "NO," go to Question 4.]

Massachusetts Constitution Claim: Handicapped Discrimination

4. a. Do you find from a preponderance of the evidence that Defendants Pamela MacEachern and Michael Rodrigues violated Plaintiff Reaves' rights under Article 114 of the Massachusetts Constitution?

Pamela MacEachern: YES _____ NO X _____
Michael Rodrigues: YES _____ NO X _____

[If your answer to Question 3(a) or to Question 4(a) is "YES" as to any of the Defendants, go to Question 5. If your answer is "NO" as to all of them, skip to Question 6.]

5. a. State the total amount of actual damages, or nominal damages (not to exceed \$1), for which you find the Defendant is liable:

Department of Corrections: \$ _____
Pamela MacEachern: \$ _____
Michael Rodrigues: \$ _____

[If your answer to Question 4(a) is "YES" as to Defendant Pamela MacEachern and/or Defendant Michael Rodrigues, go to Question 5(b). If your answer is "NO" as to both of them, skip to Question 6.]

- b. Do you find from a preponderance of the evidence that punitive damages should be assessed against one or more of the Defendants?

Pamela MacEachern: YES _____ NO _____
Michael Rodrigues: YES _____ NO _____

[If your answer to Question 5(b) is "YES" as to any of the Defendants, go to Question 5(c). If your answer is "NO" as to all of them, skip to Question 6.]

c. If yes, in what amount:

Pamela MacEachern: \$ _____

Michael Rodrigues: \$ _____

6. If you have awarded compensatory damages to Plaintiff Reaves on any of the claims listed above, do you find that interest should be awarded to him?

YES _____ NO ~~X~~

Date: Oct 2, 2018

Signed:

Margaret Stone
Foreperson

10/2/18 [Signature] 11:32 a.m.